



**Chesapeake Bay Program
Watershed Technical Workgroup (WTWG)
Conference call**

Thursday, March 2nd, 2017
10:00 AM to 12:00 PM

Calendar Page: <http://www.chesapeakebay.net/calendar/event/24818/>

Meeting Summary

Summary of Actions and Decisions

Decision: The December meeting minutes were approved.

Action: Matt Johnston will draft a first proposal for a BMP guidance document to bring before the WTWG in May for feedback. This draft will also include a list of selected BMPs to include in the document.

Decision: Matt Johnston and Ted Tesler will propose a new deadline of September 1st, 2017 to the WQGIT for approval.

Action: In April, Matt Johnston will report to the WTWG on assumptions made by CBP staff on the phase 6 model.

Flagging BMP Records used for Trades and Offsets - Jeff Sweeney, EPA CBPO

The 2017 CBP Grant Guidance included a requirement that jurisdictions begin reporting practices used for trading and offsets for 2017 Progress. Jeff will review the changes being made to the NEIEN schema to accommodate this requirement.

Discussion

- Bill Keeling: I think the issue here is that inefficiencies must be worked through by EPA, it seems like we can't do this without their agreement and GIT direction
 - Jeff Sweeney: There was a lot of input on these guidances, they're final EPA documents now, and there's an expectation to do this.
 - The workgroup asked if the Trading and Offsets Workgroup be involved here.
 - Sweeney: We can go back to the TOWG, but they're not so involved in technical part of trading.
 - Keeling: But these aren't formal guidance documents, correct?
 - Sweeney: That's why we word this as expectations, these are voluntary guidances. However, these are EPA documents and were made with expectations that we need this BMP data related to trading.
 - Keeling: How do we know that the model can calculate the baseline accurately? We can eventually submit BMPs but I have no confidence that what you do will be meaningful.
 - Sweeney: We won't know until we try. NEIEN took a long time to get up and running. It's a long process and we won't get it right this year. This is all related to the TMDL, and though there is an expectation to do this, you can choose not to. The concern from EPA is that we see a lot of nutrient credits being generated and certified, but not much being bought. Mostly wastewater, but

some unregulated NPS pollution. We don't understand how that much can be generated with the current guidance out there and current TMs.

- Jeff Sweeney turned over discussion of schema to Olivia Devereaux and Tim Paris
 - Keeling: I'm trying to understand how the poundage beyond baseline gets into that bank.
 - Devereaux: The amount of a BMP reduction beyond baseline is what you're trading. We can run the model just with BMP baselines and then run the model with beyond baseline and trading to see the difference.
 - Sweeney: We will compare the two numbers—the difference between the registry and the model is what's important. We are working at scales of state basins.
 - Keeling: Is the Bay Program going to calculate the credit or is it up to states?
 - Sweeney: You can use whatever tools you want, but we're looking for really large differences in scale. And if we see problems, we have to work out whose calculations need to be adjusted.
 - Curry: You're looking at flagging only the BMPs that are above baseline and those that the state has reported. That's a very small world.
 - Keeling: I don't agree with the method you're proposing. I don't see how that will capture the BMPs used for trading.
 - Sweeney: It's not a method that we're proposing. We want to find out where the discrepancies are between what we expected to see and the trading credits we see out there.
 - Keeling: What about wastewater?
 - Devereaux: We haven't gotten there yet.
 - Keeling: That seems like the wrong thing to target. Wastewater is the majority polluter, so why are we focusing on small contributions from non-point source SW BMPs?
 - Keeling: We feel that voluntary grant guidance is being shoehorned into mandatory requirements and we don't get a say.
 - Sweeney: All I can do is point you to the TM and grant guidance that have been published. You don't have to participate if you don't wish to.
 - Keeling: I still don't see that what you're proposing will have the desired outcome. You need something more than just flagging beyond-baseline BMPs.

- Devereaux: We asked for comments in April. Of the technical comments, Maryland pointed out that we left out tradeable components.
 - Keeling: What if you have multiple buyers rather than a single one?
 - Devereaux: You would have multiple components in the schema for multiple buyers.
 - Paris: For example, you'd have 5 instances for 5 different buyers. 5 trading components.
 - Sandi: This could be a lot simpler than buyers and sellers. The model only cares where it comes from and where it goes, not which buyers are buying what.
 - Devereaux: There are permits that have to be tracked for buyers and sellers. This method also tells you what sector the load goes to in the exchange.

- Sandi: Won't you know that from auditing our tools anyway? There will be a lot of data management nightmares to deal with this schema with buyers and sellers.
- Sweeney: We can start simple and add to it over the years as needed.
- Paris: From a pure technical standpoint, I want to fully describe every trade. You don't need to fill out every element that's there, but we need to decide what elements are required to submit. We need to figure out which is required and which is optional.
- Lee Curry: I think there's an interest in proving this out with point sources for relevance. I also don't know how much local participation there will be in this for the immediate future. There's a difference between states' interest in doing this and the EPA's interest in implementing it.
- Sweeney: We will work with the states that do have trading programs and want to participate, and those that don't we won't worry about. It's a voluntary program.

Developing a Comprehensive Phase 6 BMP Guidance Document - Jill Whitcomb and Ted Tesler, PADEP

Jill Whitcomb and Ted Tesler will propose the WTWG oversee the development of a comprehensive Phase 6 BMP guidance document which could summarize existing expert panel appendices and reporting needs for each Phase 6 BMP. Members are encouraged to participate in the discussion and offer ideas for what kind of document the workgroup should produce.

Discussion

- Tesler: We want to have something for public consumption. What's in CAST is close, but we can have something more user friendly.
 - Johnston: People have been asking me for this for years. We need to hone in on exactly what would be the most useful product for WTWG. I don't want to create hundreds of pages unless that's what you want.
 - Keeling: What audience is this for? We don't want to put duplicate expert panel reports that already exist. Do we need a technical version or a layperson version?
 - Tesler: We want something that pulls all the relevant items from those expert panel reports that will say how these BMPs perform in modeling for a general (nontechnical) audience.
 - Jill Whitcomb: we get questions all the time about exactly how practices get reported. This would be great to give people a little intro to be more informed.
- The point was made that many older practices were implemented before protocols for reporting were formulated. Those older practices would benefit from having a document like this, but that would take a lot of work to go through.
- Alisha Mulkey: I would like this document to identify how CAST interprets BMP reporting.
- Johnston: We can put something together as a pilot in the next couple months to give to you and you can tell us where to go. We won't get into scenario-builder level detail on this document. Cover crops will get 2 pages, but most BMPs will get less than that.
- Curry: A doc that includes both ag and urban wouldn't be so useful to me. Most of my concerns are with urban BMPs that implementers can use as a guideline for reporting correctly to the state.

- Whitcomb: Breaking into urban and ag is a good idea. Unless they're very curious, urban audiences don't care much about ag BMPs and vice versa.
- Mulkey: Do the new CAST tools include a cost per unit of BMP or pounds reduction per BMP?
 - Matt: There are plans to update the cost estimate in CAST, and plans to bring in a cost estimation analyst to include cost-benefit analyses. But we won't have dollar per pounds reduced. Cost of a BMP isn't standard across jurisdictions, so there will never be a convenient lookup. But we could include the cost as a dollar per unit of implementation. Each state reported what they think is the default cost, in capital and ONM. So that's a standardized list we could pull from.
 - Tesler: We do need something standardized that can carry watershed-wide.

Action: Matt Johnston will draft a first proposal for a BMP guidance document to bring before the WTWG in May for feedback. This draft will also include a list of selected BMPs to include in the document.

Submitting 2014-2016 BMP Data for Phase 6 Review - Matt Johnston, UMD CBPO

The 2017 CBP Grant Guidance included a requirement that jurisdictions report 2014 through 2016 implementation data to NEIEN for Phase 6 review purposes by April 1, 2017. Members are encouraged to review this deadline with their staff. The workgroup will discuss the likelihood of meeting this deadline. Results of the discussion will be passed along to the Water Quality GIT following the meeting.

Discussion:

- Johnston: Are you ready to submit 14, 15, 16 practices by April 1st in Phase 6?
 - Keeling: I can't make April 1st. I've provided 14. I think GIT is sending out a memo that this deadline is being extended. By later this summer, we can add 15 and 16, but not by April 1st.
- Tesler: Can we get a select list of BMPs that report differently in Phase 6? It might be easier for jurisdictions to just resubmit the BMPs that changed rather than resubmitting all their data.
 - Johnston: Wholesale changes between 5 and 6 means we can't pull out individual changes. We want to show states what progress looks like in phase 6 model. The WQGIT does understand that April isn't doable. So what is?
- Keeling: I'm not sure what you mean by wholesale changes. Some of the BMPs appear to be identical between 5 and 6. For those that aren't different, we shouldn't have to resubmit those BMPs.
 - Johnston: It's less about the changes in how BMPs are reported, and more about the history. It's very specific by state, so we can't do this piecemeal. We need to tell the GIT as a group that we can get that data by September 1—and that it will be as good as the data up to 2013. All the states will have a progress run using 2013, but we want to show what the progress from more recent years looks like as well.
- Johnston: September is as far as we can push this deadline. We know that states will need to be able to report by September 1 anyway. Is there anyone uncomfortable with taking back Sept. 1 as a new date to the GIT?
 - Keeling: I can't tell you at this time if I can make that commitment.

- Brittany Surgis: DE can't be certain of a date we can get that data in. We just started working with DTI, and we don't know what the timeline will be on working with them.

Decision: Matt Johnston and Ted Tesler will propose a new deadline of September 1st, 2017 to the WQGIT for approval.

Future Agenda Topics - Ted Tesler, PADEP

With fewer expert panels in the queue, members are encouraged to provide topics they would like to see discussed at future WTWG meetings.

Discussion:

- Johnston: CBP staff has to make some assumptions to review the phase 6 model. I'll bring those assumptions before WTW next month.
- Whitcomb: Partners are trying to figure out new strategies for the next WIP. What about energy use reductions? For instance, using solar and counting that as a cutback on coal/gas powered electricity. Also, we have funding for connecting failing septic systems for sewer connection—reporting as a WIP strategy won't get a lot of reductions and there's no panel report that covers that.
 - Tesler: Septic connection progress comes through capital funded. Septic connections are funded because they are failing, and we've never incorporated that reduction in illegal discharge from failing septic systems which would count for more reductions.
 - Keeling: How would you get credit on a load that's not explicitly simulated, but implicitly captured? But that would be a wastewater group question.
 - Whitcomb: bottom line, there are a lot of strategies we can think about for incorporating into WIPs

Action: In April, Matt Johnston will report to the WTWG on assumptions made by CBP staff on the phase 6 model.

Adjourned

List of Call Participants:

Participants	Affiliation
Ted Tesler, Chair	PA DEP
Matt Johnston, Coordinator	UMD, CBPO
Michelle Williams, Staffer	CRC
Olivia Devereaux	Devereaux Consulting
Lee Curry	DOEE
Jeff Sweeney	EPA
Tim Paris	EPA
Emily Dekar	USC
Norm Goulet	NVRC
Jeremey Hanson	VT
Gregorio Sandi	MDE
Alisha Mulkey	MDA
Jill Whitcomb	PA DEP
Bill Keeling	VA DEQ
Alana Hartman	WV DEP
Tyler Monteith	DE DNREC
Lori Brown	DE DNREC
Brittany Sturgis	DE DNREC
Robin Pelicano	MDE
Jason Keppler	MDA